Bill on February 12, but Mr. Daniel objected on the ground that the measure had not been sufficiently considered by the Senate. He said that he had no purpose to prevent A vote on the bill.

Mr. Clay then continued his speech on the

gailroad rate resolution.

### THE HOUSE.

Right to bridge St. Andrew's bay, Fla., was granted the Birmingham, Columbia and St. Andrew's Railway Company by the House on convening today.

The urgent deficiency bill was taken up, District of Columbia day being passed over until next Monday.

In justifying an appropriation of \$138,000 to make necessary changes in the new Chicago post office building, Mr. Littauer made this remark: "This building has turned out to be perfectly unfit for its work. There are features in connection with it that demand immediate change in order that life

may be secured." Mr. Hearst (N. Y.) was eulogized by Mr. Gairnes (Tenn.) as having made the greatest fight against the trusts of any living "I am not a Hearst man for Presi man. "I am not a Hearst man lor dent," he continued, "but I believe we should render to Caesar the things that are

### THE CHINESE COMMISSION

### In Pittsburg Today-Leave Tonight for

This City. PITTSBURG, Pa., January 22.-Tuan Fang and Tai Hung Chi, imperial Chinese commissioners, who are making tour of the principal cities of America, studying economical conditions, arrived here today from Chicago, accompanied by their party, numbering fifty-seven persons. They were met at the union station of the Pennsylvania railroad by a committee from the Pittsburg chamber of commerce and the entire party immediately entered carriages and were driven to the many industrial establishments to be seen here. The distinguished celestial visitors were amazed by the magnitude of the great steel mills and could only express their admiration with exclamations of surprise. Later a trip was made over the Pittsburg terminal railroad on a special train and the plants of the Westinghouse Electrical Works were in-

The party will leave for Washington to-

Two secret service operators have been detailed by orders from Washington to accompany the two royal Chinese commis-sioners until their journey ends in New York ten days hence.

## HARBOR FOGBOUND.

#### Dense Mist Prevented Craft Movements at New York.

NEW YORK, Jauary 22 .- New York harbor was practically fogbound today, the mist being so dense that no craft entered the harbor from the sea and no vessels salled outward bound. Several Atlantic liners anchored outside of Sandy Hook bar not daring to venture in farther. In the harbor itself very few boats were moving at all, and thousands of commuters living in New Jersey were delayed reaching their places of business or employment. From Staten Island, where several thousand persons come daily to New York, only one ferryboat an hour was running during the

The Minnetonka, from Southampton, waited outside of Sandy Hook. Other liners which were due here today and had not come to their docks were the Rotterdam, fr in Rotterdam; the Slavonia, from ples; the Main, from Bremen, and the Sicilia, from Naples.

One steamer, the America, from San Francisco, which crossed Sandy Hook bar and entered the harbor at 6 o'clock last night, had not been reported since that tour, but it was thought that she was an-chored somewhere in the lower harbor below quarantine station.

Shortly before noon the Caledonia and

La Bretagne passed in Sandy Hook.

The unusually warm weather for this sea son continued today. The the stood at 52 degrees at 10 o'clock. The thermometer

### THOMAS Y. FITZPATRICK DEAD. Formerly Represented Tenth Kentucky

District in Congress. Special Dispatch to The Star.

FRANKFORT, Ky., January 22.-Ex-Representative Thomas Y. Fitzpatrick of the tenth Kentucky district died at the residence of Capt. B. Troy South of this city at midnight of heart disease, superinduced by a complication of diseases, after lingering illness. Mr. Fitzpatrick has made his home in

this city since he retired from Congress, when his term in the Fifty-sixth Congress expired. He was a striking figure, familiar in democratic conventions, tall, straight and possessing an attractive manner of He was a relative of Representative South Trimble by marriage, having married Miss South.

Mr. Fitzpatrick was born in Floyd coun-Ky., September 20, 1850. Was educated in the common schools, studied law and was admitted to the bar in 1877. He was elected as county judge, county attorney and representative from the district of Knott, Floyd and Letcher, following which he was elected to the Fifty-fifth Congress in 1894 and was re-elected to the Fiftysixth Congress, after which time he re-

## CHARLESTON'S FINAL TRIAL.

### Naval Board Arrived for Run Off the

Capes. NORFOLK, Va., January 22.-The United States naval board of inspection and survey arrived at Old Point Comfort this morning from Washington and immediately boarded the cruiser Charleston, which is to proceed to sea on her final acceptance trial, including a continuous run of fortyeight hours. Owing to a dense fog seaward this morning the departure of the Charleston has been deferred until the fog lifts. Norfolk and vicinity is having most remarkable midwinter weather conditions. The official thermometer at the local weather bureau went up yesterday to 73 degrees, and the temperature today went up into

### AERONAUT'S FATAL DROP.

### Fell 300 Feet With Airship-Escaped Fatal Injuries.

CHICAGO, January 22-A dispatch to the Tribune from Ormond, Fla., says: Charles Hamilton, an aeronaut, dropped 300 feet with his airship yesterday and escaped fatal injuries by the narrowest of margins. Hamilton, when his airship dropped, was pitched forward upon the boardwalk. He struck heavily and lost consciousness. Later it as it affects the woman, puts her just where was found no bones were broken. was found no bones were broken.

Although Hamilton was in the air not more than three minutes his flight was regarded as a good deal of a success. The collapse was due to the insufficient power of a sixty horse power touring car which was used to do the towing. The combined weight of the aeroplane, man and 800 feet of rope was sufficient to cause the car to

slip backward slightly when the chauffeur tried to increase his speed.

The aeroplane rose like a bird with the first pull and in a few seconds was 200 feet in the air. When the speed of the tow began to lessen the airship began to wabble like a kite on a string and Hamilton, by mistake, dropped his cap, which was to have been the signal to the tow driver to stop.

the spring Wilkinson sprang from behind a clump of bushes and Lula Tyler struck him on the head with a stick. The blow stag-gered him and he fell back into the bushes, where he had an old musket concealed. stop.

The aeroplane at once began to flutter downward with increasing speed until the rope caught on top of a flag pole. Then a corner of the aerostat machine struck the bath house plazza roof and wedged between the building and the flag pole.

### Carried Concealed Weapon.

George Jordan, a prisoner in the United States branch of the Police Court, this morning faced two charges in court, one for making an assault on Ida Macgruder and the other for carrying concealed weapons. Judge Kimball held that the assault was accidental, although the girl was shot through the jaw, but he imposed a sen-tence of \$100 fine or 270 days in jail in de-

Remains of Wilkinson Unearth-

ed in Fairfax County, Va.

OFFICERS LED TO THE SPOT

By Lulu Tyler, Arrested Here Last

Saturday.

Differs in Detail From Woman's

Story-Inquest Ordered.

Investigation today disclosed a

grave which is said to contain the

remains of Philip Wilkinson, the

man alleged to have been murdered

by Joseph Leavell in September

last. The grave was located in Fair-

fax county, Va., not far from the

Chain bridge, by Lula Tyler, the

woman who gave information to

the police respecting the alleged

crime, as given exclusively in The

Following the directions of Lulu Tyler, a

colored woman who claimed to have knowl-

edge of the murder of Philip Wilkinson,

ber, a party of Fairfax county officials this

bridge and discovered the decayed remains

of a man supposed to be Wilkinson under a

The party consisted of Sheriff J. R. Alli-

Commonwealth Attorney C. Vernon Ford.

woman, by a coroner's jury and a physi-

cian. They were followed by a large crowd

The woman led them by a lonely route

dreary in appearance, where she assured

the officers they would find the remains of

the murdered man. After digging for some

time the decayed remains of a man were

rom the body itself, but no doubt existed n the minds of any present that the grave

On the way Lula Tyler identified a colored

she said, Wilkinson had lived.
Harris went with the party, and very reluctantly admitted that that was the spot where Wilkinson was buried, although he

said he had nothing to do with the mur

Local Police Investigate.

The jury will hold an inquest at the place

Following the information furnished by

Lula Tyler, colored, concerning the disap-

pearance and killing of Philip Wilkinson,

colored, near Ball's Hill, Va., in September

last, as printed exclusively in The Sunday

Star, Lieut. Mathews of the fourth pre-

cinct went to the jail yesterday afternoon

and interviewed Joseph Leavell, who was

killing of Wilkinson and also accused Lula

"I suppose they are fixing to break my

He then related a horrible story of the

Tyler woman and himself had figured. His

tory does not tally in every respect with

hat told by the woman, he putting Lula

out the slightest hesitation and at times

seemed to think he was relating something

amusing to a friend. He laughed and

chatted pleasantly over the affair, and said

he realized what it may mean to him. The police official visited the prisoner in the

jail yesterday afternoon after Lula Tyler had been turned over to Sheriff Allison of

Fairfax county to be taken to the county

Leavell Tells His Story.

Joseph Leavell, who is a young man, is

serving time in jail for an assault com-

mitted upon a girl. He was given a sen-

tence of twelve months, and has several

months of his term yet to serve. No ob-

fection will be made to his surrender to the

Virginia authorities, however, in event of

an indictment being returned against him

there. The story told by Leavell gave the lleutenant the impression that while the man who related the circumstances of the

man who related the circumstances of the killing is guilty, he did not tell them just as they occurred. It is his belief that Leavell stated the facts in a way to shield himself as much as possible, but that his reference to the part the woman is alleged to have taken in the affair is correct.

The arrest of the Tyler woman and the solution of the mystery surfunding the dis-

solution of the mystery surrounding the dis-appearance of Philip Wilkinson followed the action of Lieut. Mathews in causing the

arrest of the woman after he had heard of statements that had been made about Wil-

low Tree alley concerning the affair. Peo-ple living in the alley, one of them Mabel Brown, a sister-in-law of Wilkinson, had

talked of the affair, and it was the subject of gossip among the residents of the alley-

of gossip among the residents of the alley.
When Mabel Brown called upon the lieutenant she told him of the affair as it had been told to her, and Lula Tyler's arrest followed. The woman told her version of the affair substantially as given in The Sunday Star, and was held for the Virginia authorities. She did not hesitate to tell of the killing of Willinson and of the at-

of the killing of Wilkinson and of the at-

tempts that were made to dispose of his body. The woman was careful, however,

not to say anything that she thought would implicate her in the crime. Her story was

tenant felt that she was trying to shield herself. The statement of Leavell, so far

Details of the Crime.

During his talk with the lieutenant Lea-

vell said he was staying at the home of

his sister-in-law, Mrs. Wilkinson, and had

been there about three weeks prior to the

time of the alleged murder of his host. It was

on Thursday or Friday evening about the

middle of September, Leavell said, that he and Lula Tyler left the house together and

went to the spring. He said it was just getting dark and that when they reached

"I grabbed the musket from him and ran," said the man behind the bars, "and

Wilkinson pursued me."
Being afraid he would be overtaken and

assaulted, he said, he turned and struck Wilkinson on his head with the musket. He then dealt him a second blow and knocked

him down. Wilkinson groaned and squirmed a few times and then straightened out,

Leavell said that he returned to the house with Lula and they retired. About three hours later, he said, they got up and went out to see about the man they had left near

Disposing of the Body.

"He was cold and stiff," said Leavell,

and we dragged his body across the branch

told in such a manner that the police

might as well tell the truth."

of Wilkinson had been found.

identification was impossible

Sunday Star.

mound of stones

of interested citizens.

mearthed.

Positive

Nothing more was done until about the

Leavell, he became uneasy and had Lula Tyler assist him to remove it from the grave to the river, a mile distant. He said that they dragged the body the entire dis-tance; partly over the road and partly through the woods. This was done at night, and the body was thrown into the water because it was thought it would be carried down the river. Each time it was water because it was thought it would be carried down the river. Each time it was thrown in the river, however, it would wash back toward the shore, and they finally concluded they would have to dispose of it in some other manner. This was done, he said, by dragging the body a short distance from the river shore, and burying it in a piece of stony ground. When the body had been disposed of it was after midnight, and they returned home.

### DISMISSED THE COMPLAINT. Charges of Discrimination in Rates

## Against Griffin, Ga.

The interstate commerce commission, in opinion by Commissioner Clements, has AFTER SEARCH THIS AFTERNOON announced its decision in the case of the Griffin Grocery Company against the Southern Railway Company and the Central of Leavell's Statement of the Killing Georgia Railway Company, dismissing the complaint.

Upon complaint of alleged unjustly higher freight rates from Chicago and St. Louis to Griffin, Ga., than to Macon, Americus, Albany or Dawson, Ga., it appeared that the three last-named cities are situated at considerable distances from Griffin; that while Griffin pays higher rates than those in force to such cities, there is no competi-tion between them and Griffin for trade in common territory, and that Griffin's real difficulty is in the relation of rates to that point and Macon and Atlanta, between which points Griffin is located and which which points Grimn is located and which enjoy lower rates than either Americus, Albany or Dawson. The rates from New Orleans are for a longer distance to Griffin than to Americus, Albany of Dawson. Competition creates dissimilarity of circumstances and conditions affecting the transpertation of traffic from the points of shipment mentioned to Macon and Griffin ment mentioned to Macon and Griffin.
The commission holds that under the

The commission holds that under the construction of the law, as announced by the courts, no undue prejudice against Griffin, or violation of the long and short haul clause, is shown in this case, and while the practice of making rates to Griffin by combining rates to Atlanta with local rates therefrom to Griffin may result in unreasonable charges, the evidence in this case is insufficient upon which to base a conclusion in that respect.

#### PUNCH BOWL FOR MAYFLOWER colored, in Fairfax county, Va., last Septem-Presentation in Behalf of Russian afternoon visited a lonely spot near the river shore a few miles west of the Chain Peace Envoys.

Baron Rosen, the Russian ambassador today presented to the U.S. S. Mayflower in behalf of Count Witte, himself and the other delegates to the Portsmouth peace son, Deputy Sheriff William Cross and conference, a handsome punch bowl, in recognition of the hospitality which was ex-The officers were accompanied by the Tyler tended to the delegates on board of that vessel during the course of the peace conference. The punch bowl consists of a Russian silver bowl, flanked by a knight at arms of the period of the middle ages through the woods to a place wild and and armed with shield and battle ax. The bowl is very elaborately chased and is dec-orated with a number of large and hand-some precious stones. There are a number of precious stones also in the shield of the

Secretary Bonaparte entertained the Rus sian ambassador and the embassy staff and the commanding officer and officers of the Mayflower at luncheon today on the Maylower at the Washington navy yard in recognition of the presentation, the bowl having been presented to the Mayflower through Secretary Bonaparte. The only other guest, besides those intimately connected with the presentation, was Assistant Secretary Newberry.

### MAY GET HIS MILEAGE.

#### Ingenuity Employed in Behalf of Senator Burton.

One of the most remarkable procedures in the history of the Senate occurred today in erection of a statue to Pierre Charles L'Enorder to avoid a technicality which prevented Senator Burton of Kansas from drawing his mileage for the present session. In order to have his requisition honored it is necessary for some official of the Senate to take an oath that he had seen the sen-ator in the chamber, but since the indictmentioned by the woman as the slayer of Wilkinson. Leavell promptly admitted to ment and conviction of the Kansas senator the lieutenant that he had a hand in the he has not appeared in the chamber. There is no disposition on the part of any one to withhold the mileage, and the senator therefore, was asked to step from the cloak room into the chamber for a moment in neck over in Virginia," he said, "but I order that he might be seen by some offiial. He declined, but an employe engaged him in conversation in the cloak room near the entrance to the chamber. The employe suddenly turned the senator so that h faced the chamber, and the attention of officials previously having been directed to-Tyler in the position in which she had placed others. Leavell told the story withward this door, he was seen from the cham-

It was then certified that Senator Burton attendance, and his mileage was naid to him.

### MISS WALSH DISTURBED. Ill as Result of Operation - Steps

Taken for Her Relief. At the request of Dr. James F. Mitchell, who stated that Miss Evelyn Walsh was greatly disturbed by the noise of vehicles passing in the street, the Commissioners have granted permission to her father. Thomas F. Walsh, to have tanbark spread in front of the residence, 2020 Massachusetts avenue northwest, and on 21st street passing the side of the house. Miss Walsh who was severely injured in an automobilaccident in which her brother, Vinson Walsh, was killed a few months ago, underwent an operation on Friday which in-volved the rebreaking of an imperfectly

### HELD FOR THE GRAND JURY. Decision Reached at Coroner's Inquest

on Eva Barnes' Death Edward Grant, colored, who is charged with having stabbed Eva Barnes, also colored, with a pocket knife on the night of December 17 last, from the effect of which wound the woman died at the Homeopathic morning sent on to the grand jury by the coroner's jury to answer a charge of mur-

The inquest, which was held at the morgue, was conducted by Dr. Ramsey Nevitt, the coroner, and Messrs, James N Mitchell, H. W. Decker, Charles C. Langley, C. H. Dikeinan, S. Porterhouse and F S. Golden composed the jury.

The evidence of the physician attending the woman at the hospital was to the effect that she had a stab wound in her side that touched the heart. That she died from blood poisoning as a result of the wound While at the hospital she accused the prisoner of having cut her. Three other witnesses told the jury of the quarrel between the dead woman and the prisoner, which ended in the woman being cut by the pris-

The jury, after hearing the evidence, took but a few minutes to find a verdict that the woman came to her death from a wound in her side, inflicted by the prisoner, Grant. After the inquest Grant was taken back to jail to await the action of the grand jury.

### Alleged Depredation.

Two cases of depredations on private property were filed against Robert Boone in the Police Court this morning. After he had heard the evidence in the case Judge Kimball held that a prima facie case for the grand jury had been made out and he ordered that Boone be held. Bond in each of the two cases was fixed at \$500, in default of which Boone was committed to

### Committed to Workhouse.

Catherine Franklin, alias Brown, a serv ant girl, was arraigned in the Police Cour this morning on a charge of the larceny of a gold watch, some chinaware and clothes from Mrs. Louisa Scott of 1705 Kilbourn street northwest. After hearing the evidence in the case Judge Kimball sentence the girl to four months in the workhou

#### MR. MORRELL'S BILL FOR OPEN-ING AND EXTENDING STREETS.

Representative Morrell (Pa.) today intro-

duced a bill providing a new system for

opening and extending streets and ave-

nues, country roads and suburban streets in the District. Mr. Morrell introduced his measure as a result of the dissatisfaction apparent among the membership of the House with the present system of street extension which prevails in the District. The measure provides briefly that in all cases where any street established shall exceed eighty feet in width the damages awarded, together with the original cost of the improvement, shall be assessed onethird against the abutting line to a depth of 150 feet on each side, and the other twoof 150 feet on each side, and the other two-thirds charged to the District of Columbia and the treasury of the United States in equal portions. The damages awarded for all reservations condemned and estab-lished shall be charged entirely to the United States treasury; that all streets eighty feet in width or under, the entire amount of the damages and the original cost of the improvement shall be assessed half against the abutting property to a depth of 150 feet and the other half charged to the District of Columbia; that when half of the owners of any abutting when half of the owners of any abutting property shall file a petition with the Commissioners passing on extension of improve ment the Commissioners must proceed to make the improvement; that to provide an available fund to carry out this plan the Commissioners are authorized to issue bonds of the District of Columbia not to exceed \$2,000,000 or \$3,000,000 to run fifty years; that the United States shall be a party to all land condemnation proceedings.

## To Buy Chronological History.

Secretary of State Root sent a communication to Congress today recommending the purchase by the government for \$6,000 of the "Chronological History of the Department of State and the Foreign Relations of the Government From September 5, 1774, to the Present Time," compiled by the late John H. Haswell, for many years chief of the bureaus of industries and archives of the State Department.

To Improve Central High School. The District Commissioners today transmitted to Congress through the Secretary of the Treasury a request for a supplental appropriation of \$40,000 to be used in improving the Central High School. The board of education, upon whose recommendation the Commissioners acted, submit the ollowing detailed estimate:

Improving south basement, \$2,300. Wooden doors replaced by granite, \$5,200. floors in class rooms, \$5,000. Tile floors in chemical and physical laboratory, \$2,200. The arrangement and improvement of as sembly hall, \$3,500. Steel ceilings, \$7,000. Combination gas and electric lighting system, \$1,300. Cement walls, \$3,800. Paint-Plumbing and piping, \$1,900. ing, \$3,800. Incidentals, \$3,000.

#### Registered Nurses.

Representative Taylor of Ohio, a member of the House District committee, introduced bill in the House today affecting registered nurses in the District of Columbia. The measure provides for the selection by the Commissioners upon the recommendation of the Graduate Nurses' Association of the District to act as nurses' examining board. All applicants for licenses shall be passed upon by this board, and persons who represent themselves as reg-istered nurses without proper certification shall be punished by imprisonment of not more than sixty days or a fine of not more

#### Statue of L'Enfant. Representative Hull, chairman of the military affairs committee of the House, has

introduced a bill appropriating \$500 for the

fant in L'Enfant Circle, Randle Highlands. To Repeal Smoke Law. A bill to repeal the District smoke law, so far as it relates to territory south of the Anacostia river and west of Nicholas ave-

#### nue, was introduced in the House today by Representative Ketcham of New York. MANN MADE MONEY.

### Interesting Revelations in the Town Topics Trial.

NEW YORK, January 22 .- Col. W. D. Mann, editor of Town Topics, testified at the Hapgood criminal libel trial today that he had borrowed nearly two hundred thousand dollars from J. P. Morgan, James ft. Keene, W. K. Vanderbilt, William C. Whitney and other prominent financiers. Many of these loans never were repaid, so far as Col. Mann could recall, and others were Col. Mann could recall, and others were repaid in stock of the Town Topics Company at \$1,000 per share. Among the others named by Col. Mann in the list of men from whom he had borrowed large sums were Collis P. Huntington, Charles M. Schwab, Howard Gould, George Gould, Thomas F. Ryan and John W. Gates. The largest single loan was obtained from

James R. Keene, who loaned the Town Topics editor \$90,000. From W. K. Vanderbilt Col. Mann obtained \$25,000; from J. P. Morgan, \$2,500; from W. C. Whitney, \$10,-000; from Collis P. Huntington, \$5,000 W. Gates, \$20,000; Charles M. Schwab, \$10,-

000; Thomas F. Ryan, \$10,000. When Col. Mann testified that many of these loans were paid in Town Topics stock at \$1,000 a share, James W. Osborne, coun-sel for Mr. Hapgood, asked if the par value of the stock is not \$10 per share. Col. Mann replied that \$10 per share is the par

### TROLLEY COLLISION.

#### A Number Injured in Accident at Portland, Me. Special Dispatch to The Star.

PORTLAND, Maine, January 22 .- A trolley car from Portland and one from South Windham collided between Woodfords and Cumberland Mills this morning in a dense fog. Both cars were late, one on account Hospital Saturday night last, was this of a broken wire, and each had waited at a turn out and was headed for the next

crossing point.

Motorman Peerley Crockett and two passengers, Winfield S. Lighton of Westbrook and Perley Roberts of Westbrook were severely injured. Twelve passengers hurt more or less seriously.

### JOHN SINGER WALLACE DEAD. Naval Chaplain on Retired List-Interment in Arlington.

ALAMEDA, Cal., January 22 .- John Singer Wallace, naval chaplain on the retired list, died yesterday after a brief illness. He was one of the oldest chaplains in the service, having received his appointment from President Lincoln in 1863. For a period of several years he held the position of instructor in international law at Anfour years of age.

The remains will be taken to Washington, D. C., for interment in Arlington cemetery.

Security Storage Co. Incorporated. The Security Storage Company, with a capital stock of \$400,000, was incorporated today under the laws of the District of Columbia. The incorporators are Chas. J. Bell, Henry Hurt, Henry F. Blount, Clarence F. Norment, William J. Flather, Albert M. Read and Clarence A. Aspinwall. The storage department of the American Security and Trust Company will be managed by this new concern. The capital stock is divided into 4,000 shares, of the value of \$100 each, and \$50,000 in cash has been paid in.

The trustees of the corporation for the first year are Messrs. Read, Bell, Blount, Norment. Flather, Hurt and Aspinwall. The fee paid for recording the certificate was \$160.

Quiet at Guayaquil. The State Department has received

### DEFENDANTS' SIDE OF THE CASE KENTUCKY SEEKS TO HAVE IT PRESENTED TODAY.

SAVANNAH, Ga., January 22.-In the Greene and Gaynor case, which was taken up at the opening of the federal court today Col. Meldrim, of counsel for the defense, made a statement of the defendant's side of the case. He said that it was true that Greene and Carter were on terms of friendship, as the prosecuting attorney, Mr. Erwin, had asserted, but that there was nothing surprising in that, as Greene, too, had been an army officer and in the Engineer Corps. He scouted the idea that Carter was a dupe, a weak tool, pliable clay in the hands of Greene, the statement being disproved by Carter's attainments and his appointment to places of trust and impor-

Col. Meldrim challenged the government to prove that Greene and Gaynor ever loaned Carter a cent, and that the only loan was one of \$1,600 made in 1886 by Greene, which Carter had repaid within a year's time in driblets. Point by point Col. Meldrim took up the government's view as given by Mr. Erwin, and gave an explanation. He said the Chilean project, in which it was alleged Carter and the contractors were about to embark, had never materialized, and that the river and harbor convention in Savannah was held long before Carter came here.

### What Defense Would Show.

It was disputed that Carter advertised for bids on contracts for much shorter perods than the regulations required and said it was the custom of other engineer officers, Colonel Maldrim saying he would show that General Gilmore and others had advertised for but as brief time as fourteen days. The assertions relative to the strict guard kept upon the specifications were denied and it was declared that prospective bidders had no difficulty in secur-

ng copies. Greene and Gaynor, Col. Meldrim said, got the contracts because they were on the ground, knew all the local conditions regarding labor, dredges, boats and other essentials to be considered, and consequently were able to make the lowest bids.

were able to make the lowest bids.

Of the contention relative to the large bank deposits made by Carter, the defense would establish, said Col. Meldrim, that he made the money not through conspiracy and collusion with Greene and Gaynor, but through investments made in Georgia timber lands and Florida phosphate lands with money received from the late R. F. Westcott Carter's father in-law cott, Carter's father-in-law

### What Defense Would Show.

He would challenge the government, he said, to show that one dollar of the money Greene and Gaynor got from the government ever went to Carter or Westcott. Greene and Gaynor, he said, had, as was natural, given Westcott an interest in their contract work in Sayannah in consideration for his influence in securing for them the contract to raise the tracks of the New York Central railroad in New York city and Buffalo.

Colonel Meldrim drew a pleasing picture of

Savannah as a great port, and attributed the commercial importance of the city to the faithfulness and ability of Carter and the honest and hard work of the accused contractors. No better test than these re-sults, he maintained, could be offered, and he indicated that it would be the effort of the defense to have the jury visit the harbor and view the improvements that have seen made. He ridiculed Maj. Cassius Gillette's com-

plaints of the work done under the admin stration of Carter, his predecessor, saving Gillette's chief grievance with the work done by the contractors in Savannah harbor, which he saw some time after it had been done, grew out of his having fallen into a hole in one of the mattresses.

### Judge Speer's Activity.

Col. Meldrim referred to the efforts of the defendants to evade being brought back to Judge Speer's jurisdiction for trial and proceeded to indicate an activity and interest on the part of Judge Speer that gave the defendants ground for apprehension in a trial given them in this court.

Counsel was referring to language used by a New York newspaper at the time of the hearing in that city, declaring Greene and Gaynor should not return to Savannah for trial, when the judge interrupted, directing Col. Meldrim to be sea ed and the jury to retire. He then asked Col. Meldrim to show cause why he should not be fined for contempt of court.

Col. Meldrim replied that he had intended no contempt. The stenographer's record was read and Col. Meldrim made an extended explanation, to which Judge Speer responded as follows:

### MINERS AT INDIANAPOLIS.

Wage Demands to Be Considered by the Convention.

INDIANAPOLIS, Ind., January 22 .- The indications, when the United Mine Workers' convention convened today, were that before night the convention would be at work on its wage demands. A full list of the demands likely to be submitted by the scale committee is as follows: Admission of the southwestern states to conference.

Twelve and one-half per cent increase in Prohibiting employment of boys less than

sixteen years of age around mines. Uniform wage scale for all outside day labor. Seven cent differential between pick and

machine mining. Straight run of mine basis for all states. It will probably be decided that in case an ncrease of wages is obtained a two-year agreement will be signed.

The credentials committee made its final report. It seated 1,303 delegates, representng 1,600 locals and having 2,925 votes. There was a sensational scene in convention today, which was an echo of the attack made on John Mitchell by Robert Randall of Dietz, Wyo., in last year's convention. Randall charged Mitchell at that time with having sold out the miners In the Colorado strike, and Mitchell made reply claiming the statement a lie. dall was expelled from the organization. Today a delegate named A. F. Gerner of Mount Olive, Ill., made the charge that some of Randall's statements were correct

last year. He protested a letter from Secretary Heywoor of the Western Association of miners in which Heywood denied the state-ment made in Mitchell's address of Sat-urday that Western Federation members were taking the places of the United Mine Workers on strike.
Mr. Mitchell made reply to this in a very

heated statement, denouncing Randall's ac-tion last year, branding Heywood's state-ment as false and citing the places where Western Federation miners had taken the places of the United Mine Workers on strike. He named several places in Colorado and cited districts 2 and 14 and parts

of Washington state.

President Mitchell again referred to the charge that he had sold out the Colorado strike and was strong in his denunciation of those making the charge. He was loud-

Mr. Mitchell said that the association he had with the members of the Civic Federa-tion had always been turned to the advan-tage of the United Mine Workers of America. He had not committed the organiza-tion to anything. The Civic Federation was tion to anything. The Civic Federation was composed of twelve honorable gentlemen, themselves employers of union labor. The cardinal principle of the Civic Federation, he said, was to maintain friendly relations with organized labor. The Civic Federation had favored the trade agreement, and in recognizing the trade agreement had recognized organized labor. "True," said he, "It has men like Mr. Eliot, but if we all thought alike there would be no organized labor and no mine workers organization. There would be no necessity for them."

John H. Walker, a socialist leader, was recognized by Mr. Mitchell. He said the argument was tending to widen the breach between the mine workers and the Federation of Western Miners. He urged harmony.

#### Bill for Lee Monument. RICHMOND, Va., January 22-A bill

fault for carrying the weapon.

"I think that the shooting was accidental." Ida teld the judge, and on that ground the asscult case was dismissed.

Nothing more was dene until about the shooting the weapon.

Was introduced in the Senate today which get McCormick, daughter of the She was arrested yesterday by Precinct De testing the middle of October, when Mrs. Wilkinson and out the shooting was accidentated in the Senate today which get McCormick, daughter of the She was arrested yesterday by Precinct De testive Rates of the tenth precinct De testive Rates of the testive Rates of the testive Rate

RESTORED TO STATE COURTS. The Supreme Court of the United States oday heard arguments on the petition of the state of Kentucky for a writ of mandamus compelling the restoration of the case of Caleb Powers to the jurisdiction of the state courts of that state. For-

Chief Justice Fuller today gave notice of a three weeks' recess of the beginning next Monday. The recess is taken for the con-sideration of cases which have been pre-sented to the court.

Lucien Maxwell of Ohio.

mer Governor Black of New York and E-

L. Worthington of Kentucky appeared for

Powers, while the state was represented by

Attorney General Hayes of Kentucky and

In the case of Carfer agt. Caldwell une court reversed the order of the United States efreuit court for the northern dis-trict of West Virginia, taking jurisdiction in the case, and remanded it with instruc-tions to dismiss. The case involved the charge of contempt on the part of Caldwell toward an investigating committee of the house of delegates of the West Virginia legislature, appointed last March to inquire into the charges against A. B. White whue governor of the state. Caldwell was summoned as a witness, and when he falled to respond was taken into custody by theriff Carfer of Wood county. He was re-leased on a writ of habeas corpus issued by the circuit court. That is the order which was toda; reversed. The opinion was by Chief Justice Fuller, who said that the case was one in which the federal courts have no jurisdiction. Attorney Henry J. Hersey of Denver pre-

in the cases of Leonard Imboden and James A. Hill, under sentence of imprisonment for ten years each on the charge of conspiracy to defraud. Imboden is a citizen of New York and Hill of Indian Territory, but they were interested in a bank in Denver and the charge arose in that connection.

nted a petition for a writ of habeas corpus

A motion was made for the advance-ment of the hearing in Senator Burton's case. The motion was made by Solicitor General Hoyt for the government and concurred in by ex-Secretary Carlisle in Sena-tor Burton's behalf,

Attorney General Carter of New Jersey entered a motion for the advancement on the docket of the case of Anna Valentina under sentence of death in that state on the charge of murder

In an opinion by Justice Brown the court decided the case of the San Antonio Traction Company agt. Altgelt in favor of Altgelt, affirming the dicision of the court of civil appeals for the fourth judicial district of Texas. Altgelt is a school boy, and he brought the suit under the Texas state law of 1903 to compel the street car com-pany to sell him half-fare tickets. The company resisted the demand on the ground that its charter provided for uniform fares

### BOY'S NARROW ESCAPE.

#### Ran in Front of Moving Street Car at 15th and F Streets. A small boy about seven years of age,

who gave his name as C. Demesa, narrowly escaped being crushed to death under Capital Traction car No. 92 at the corner of 15th and F streets northwest at 2:15 o'clock this afternoon. The car, with Motorman C. Green at the motor, had just left the corner of 15th and G streets and had passed the corner of 15th and F streets when the small boy left the pavement and started for the epposite side of the street. In a moment Motorman Green saw the child's danger and threw on the brakes with all his power. The car was going at such a rate of speed that it was impossible was struck and knocked down, felling upon the tracks a few feet ahead of the car. Motorman Green dropped the fender of the car, catching the child in time to save him being crushed under the heavy trucks. The boy quickly scrambled to his feet and be-gan to cry, but it was a matter of but a few moments to find that he had not in any way been injured beyond being shaken thing. up considerably. A large crowd gathered. The little fellow in a short time continued down 15th street more scared than hurt.

### RULE DISMISSED.

Court's Action in Case Relating to Charles H. Smith's Estate. In the matter of the estate of the late

Charles H. Smith, who was found dead at his desk in the Treasury Department the 5th instant, Justice Anderson, in Equity Court No. 1, today dismissed the rule requiring Mrs. Annie W. Hughes to show cause why she should not render an ac-counting of the estate of the deceased. The rule was issued at the instance of Attor-ney William Earl Ambrose, who, on petition of Mrs. Malvina Smith, widow of the former Treasury Department clerk, appointed by the court as collector of the

Mrs. Hughes, by Attorneys Wilson & Barksdale, filed an answer to the effect that she had no money, securities or other property belonging to the estate. It was explained by Mrs. Hughes that she had allowed Mr. Smith to place certain papers, including his will, a note for \$2,000, and sixty shares of Masonic Hall Association stock in a safe deposit box rented by her. On this showing the rule was dismissed.

### A BIG POSTAGE BILL. A Story Going the Rounds in the Cloak

Rooms. "Who was called down for \$72 postage on his bookcase?" is the question that representatives are asking one another in the cloak rooms at the House end of the Capi-

The story is that the other day three sections of a bookcase arrived at the city post office under the frank of a member of the House and addressed to him. The bookcases were said to contain non-frankable matter as well as official documents. One report was that a couple of flatirons for the household laundry were in the lot, but that probably was an exaggeration. Anyhow, so the story goes, the outfit was held up in the post office and Mr. Representative called on to fork over \$72 postage. He is reported to have said it was all a mis-

This alleged incident recalls the story that a year or two ago a western member of the House sent a cheese on to Washington under his frank. Nothing would probably have been said about that if the cheese hadn't been limburger.

take and the fault of a green private sec-

#### MR. DEPEW IN THE SENATE. His Appearance Does Not Bear Out

Assertions About His Condition. The appearance of Senator Depew on the floor of the Senate today created un-

usual interest on account of the stories that have been circulated about him recently. It has been asserted that he suffered from aphasia and that his efforts to of intoxicating liquor by the defendant is talk have been extremely painful because that the petitioner desires the custody of the children. thoughts.

thoughts.

It has also been asserted that he has been extremely sensitive over what has been alleged to have been the coolness toward him on the part of his fellow-senators.

Mr. Depew's appearance today did not bear out any of these assertions. He came into the Senate a short time after 12 o'clook, and his reception was unusually cordial.

Senator Platt was in his seat when he entered, and there was a cordial greeting between them. During the following fifteen minutes a very large number of senators took occasion to go over to Mr. Depew's desk and to shake his hand. He had a pleasant word to say to his friends, and he talked and laughed with them freely.

Mr. Depew had several petitions, and as soon as he could get the floor he arose to present them.

# DISTRICT IN CONGRESS GREENE-GAYNOR CASE POWERS CASE ARGUED COALFORTHE SCHOOLS

House Finally Voted \$30,000 Deficiency Appropriation.

THE PRACTICE DENOUNCED

Commissioners' Estimates Regularly Made Too Small.

CHAMP CLARK INDIGNANT

Declared He Was "Good and Tired" of the Way Things Were Done in the District.

The deficiency item of \$30,000 for the purchase of coal for the Washington public schools created quite a discussion on the floor of the House this morning, during consideration of the urgent deficiency bill. The paragraph making this appropriation had hardly been read, when several representatives were on their feet, demanding to know the whys and wherefores of the matter.

Representative Littauer of New York of the approprition subcommittee explained that for some years \$75,000 or more had been needed for the purchase of coal for the local public schools, but that the Commissioners, since 1903, had, in their estimates, set the amount at \$45,000 in the regular bill, and then later, had appeared on the scene with a request for a deficiency appropriation. He attributed this manner of doing things to negligence on the part of the Commissioners.

#### Champ Clark Indignant. Representative Champ Clark of Missouri

wanted to know if there wasn't some way by which the Commissioners could be made to do things in the proper manner. "Well," remarked Mr. Littauer, "you will have to allow this appropriation or close

the schools when the present supply of coal gives out." Mr. Clark remarked that he was "good and tired" of the way things were done and Mr. Littauer, who seemed to share his views, said that though the committee had allowed the coal frem the Commissioners had been turned down on some other de-

ficiency items for which they gave a similar Representative Gaines of Tennessee, who got into the game at this point, reg-istered his opinion that the District of Co-lumbia government was being held up by

#### the coal trust. The Committee Inquiry.

As a result of the ensuing colloquy beween Representatives Littauer and Gaines, the former read the following from the hearings of the committee to show that it was desired to learn all possible about the deficiency estimate and why it had been necessary to submit it:

"Mr. West-The amount appropriated by Congress for coal for the last five years has been \$45,000 for each year, and each year we came to Congress for a deficiency. Although the regular appropriation has been \$45,000, the amount actually appropriated has gone as high as \$00,000, as was the case in 1903, \$75,000 in 1904, and \$75,000 in 1905; and this deficiency of \$30,000 is the same amount of deficiency as was asked for last year and the year before, "Mr. Tawney-Do you think that is a good

practice! "Mr. West-I do not. "Mr. Littauer-Do you not render yourself liable to that provision in the deficiency law passed last year? That is a dangerous

### Mr. West Explains.

"Mr. West-I can look at the estimate and find out whether the amount asked by us was \$45,000 last year or not. It is a question of having this money or else closing the schools-that is, two-thirds of them. The amount asked in this appropriation is not larger than was asked for in the de-ficiency bills of 1905 and of 1904. It is not as much as was asked for in 1903. In other words, it has taken \$75,000 each year to supply the schools with coal, even though the regular appropriation was only \$45,000. Thecoal contract has given us in the past good deal of trouble, and we found lats year evidences of a combine on the part of District coal dealers to ask a larger sum than we thought it was wise to pay. We gave a public hearing upon the matter and accepted the bid for the present year with

the understanding that next year we were going to change the entire system of obtaining coal. "Mr. Livingston-You speak of getting that coal here in the city. Are you con-fined to the dealers here, from whom to buy your coal?

"Mr. West-No; because we advertise for bids. But under the prevailing conditions you would find that the large dealers outside and the large companies outside will not come in and bid against the local dealers here. They all have an understanding oetween themselves.
'Mr. Livingston.—Why do you not buy at "Mr. West .- I doubt very much if we could

buy at the mines; and then if we did we would have to arrange for the carrying of the coal here and the delivery ourselves, and all that sore of thing. We have a plan next year for our next contract for coal which I think will, in a measure, obviate the conditions that we are now contending with. I am afraid that the estimate already up before Congress for the next fis-cal year asked for only \$45,000 for fuel.

"Mr. Littauer-I trust you will correst it. "Mr. West-I will see that that is done. "Mr. Littauer-It is just that habit that we want to put an end to. It places the appropriation entirely in a false light."

The Appropriation Granted.

After Representative Littauer had read

the above, Mr. Gaines "got busy" again

#### and, leaving the District of Columbia to take care of itself for a moment, launched into an attack on the coal trust in general. After Mr. Gaines had relieved himself to this extent the desired \$30,000 was appro-

In the Divorce Court. Proceedings for divorce were instituted today in the Supreme Court of the District of Columbia by Charles H. Lockwood against Catherine Lockwood. The parties were married April 12, 1899, and have one child. Infidelity and desertion are alleged. In addition to a divorce, Mr. Lockwood, who is represented by Attorney J. H. Croxdale, desires the custody of the child.

Simon D. Bronson, by Attorney Alexander H. Bell, today petitioned the District Supreme Court to grant him a limited divorce from Winifred Bronson. The marriage of the parties occurred in July, 1886, and they have four children. Excessive use

### On Charge of Housebreaking.

Robert Quiet, alleged to have been re-

ently released from the penitentlary, was today committed to jail from the Police Court on a charge of housebreaking. He was accused of entering the house of Alfred E. Lewis at 2151 Florida avenue northwest and taking several coats and a table-cloth therefrom last week. After holding him for the action of the grand jury, Judge Kimball fixed the bond at \$500, in default of which Quiet was sent to jail.

Will of Margaret McAllister By the terms of the will of Margaret Mcillister, dated February 22, 1900, and filed

oday for probate, \$500 is bequeathed to her granddaughter, Margaret McAllister; onehalf of the remainder of the estate to Brid-